



MEMORANDUM

TO: Board of Supervisors

FROM: Maggie Castro, Planning Manager

SUBJECT: Planning and Zoning Activities for Calendar Year 2013

DATE: April 7, 2014

The purpose of the annual report is to meet reporting requirements pursuant to Section 5(B) of the Planning and Zoning Commission (Commission) bylaws. This section requires that the Commission send a report annually to the Board of Supervisors summarizing its activities. As a result, this report contains the activity summaries of the Commission and the Planning Division for Calendar Year (CY) 2013. For ease of review, the report is divided into two sections: The Planning Section and the Zoning Enforcement Section. Zoning Enforcement activities are included in the report since the Commission recommends and the Board of Supervisors approves the rules and regulations contained in the Zoning Ordinance, and it will be useful to each entity to see what enforcement activity is generated from these regulations.

Section One: Planning Section

The Planning Section processed nine Commission Initiatives, ten land division permits, two minor amendments, eight rezoning requests, nine special use permit requests, three temporary special use permits, nine temporary use permit requests, ten variance requests, four lot line adjustments; and 12 park plan reviews.

The Planning Commission reviewed 11 rezoning cases, seven special use permit cases, eight Commission Initiatives for text amendments to regulatory documents, four minor amendments to the Comprehensive Plan for changes of land use designations, and three minor amendments for text amendments to the Comprehensive Plan. The Board of Adjustment reviewed five variance cases that dealt with requests for relief from Zoning Ordinance requirements.

The Board of Supervisors reviewed eight rezoning cases, six special use permit cases, one subdivision final plat, five commission initiatives for text amendments to regulatory documents, four minor amendments to the Comprehensive Plan for changes of land use designation, and four minor amendments for text amendments to the Comprehensive Plan.

A total of 141.21 acres were rezoned by the Board of Supervisors as follows:

Acreage	Rezoned to:
76.26	Residential (RA-5, SSB-2, SR-4)
41.35	Residential (R-1-40)
23.6	Residential (RVS)

In all, 18 cases were approved by the Board of Supervisors as follows: Eight rezoning cases, six special use permit cases, and four minor amendments for changes to land use designations. The table below lists the number of cases (rezoning, special use permit, and minor amendment) approved by the Board of Supervisors in each planning area.

Number of Cases Approved	Planning Area
9	Foothills Planning Area
4	Dome Valley/Wellton Planning Area
3	Yuma Mesa Planning Area
1	Gila Valley Planning Area
1	North Gila Planning Area

Reversions of Zoning, Extension of time to comply with the Schedule for Development, and Revocations of Special Use Permits

The Board of Supervisors approved granted extension of time to comply with the Schedule for Development for nine previously approved cases and reverted the zoning for five previously approved cases. Additionally, the Board of Supervisors revoked one previously approved Special Use Permit.

Major Amendments

There were no major amendments received for calendar year 2013.

Zoning Ordinance/Comprehensive Plan/Subdivision Regulation Text Amendments

The Board of Supervisors approved the following text amendments to the Zoning Ordinance and Subdivision Regulations:

CI13-03	Text amendment to the Yuma County Subdivision Regulations to allow United States currency as a form of assurance and warranty for subdivision improvements.
CI13-01	Text amendment to Sections 202.00 and 906.00 to clarify the type of improvements required for parking areas by adding the definitions that pertain to paving and surfacing, as well as when paving or surfacing are required.
CI13-05	Text amendment to Section 1102.02(F) to allow air conditioning units or any similar devices to be located no closer than three feet to the side or rear lot line.

CI13-07	Text amendment to Section 202.00 to remove the definitions of Guest House and Residential Guest Quarters.
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The Board of Supervisors approved the following text amendments to the Comprehensive Plan:

2012-MA-07	A minor amendment to the Yuma County 2020 Comprehensive Plan adopting the Housing Element.
2012-MA-09	A minor amendment to the Yuma County 2020 Comprehensive Plan amending the Land Use Conformity Matrix.
2012-MA-10	A minor amendment to the Yuma County 2020 Comprehensive Plan amending Section 10.2 (specifically the subsection captioned Power Transmission Facilities in Yuma County) of the Energy Element to reflect recommendations made by Arizona Public Service.
2013-MA-01	A minor amendment to the Yuma County 2020 Comprehensive Plan amending Section 3.1 (specifically Maps 3 and 3.1) of the Land Use Element to reflect the appropriate restrictions on residential development within the High Noise or Accident Potential Zones

Additional Information

5 Year Comparison of Activities:

Planning Section Activities	2009	2010	2011	2012	2013
Commission Initiative Cases	4	16	7	7	9
Land Division Permits	24	20	14	17	10
Lot Line Adjustments	N/a	N/a	N/a	N/a	4
Major Amendment Cases	0	2	1	0	0
Minor Amendment Cases	9	4	5	10	2
Rezoning Cases	17	10	10	11	8
Special Use Cases	12	15	21	18	9
Subdivision Applications	2	1	0	1	0
Temporary Special Use Permits	3	4	0	2	3
Temporary Use Permits	9	9	9	7	9
Variance Cases	17	10	9	11	10
Total	97	91	76	84	60

Staffing Levels	2009	2010	2011	2012	2013
Planning Director	1	1	1	1	1
Planning Manager	1	1	1	1	1
Planner III	1	1	1	0	0
Planner II (Senior Planner FY13)	5	5	4	4	4
Planner I (Associate Planner FY13)	2	2	2	2	2
Total	10	10	9	8	8

The tables above are designed to show a five-year comparison of the activity totals and staffing levels from CY09 through CY13. As one can see, the overall number of cases decreased by nearly 30% from CY12 to CY13, with the most notable decreases in activity occurring in the number of Land Division Permit, Minor Amendment, and Special Use Permit applications processed. Although some of the activities above have decreased, staff instituted a new procedure for lot line adjustments. There were four processed in CY13. Additionally, due to working on a special project in conjunction with the Assessor's office, 12 park plan reviews were processed by two planning staff members.

In CY13, the Planning Division was successful in obtaining reclassifications of the Planner II and Planner I positions. Upon the adoption of the 2020 Comprehensive Plan in February 2012, there was no longer the need to fill the Planner III position, as the Planning Section Manager and Planner IIs were able to fulfill the requirements to amend and update the document. Since the Planner IIs were processing Major Amendments to the Plan, which were reserved for the Planner III position, it broadened the scope of their expertise as they were processing projects with an increased complexity in relation to land use analysis, ranging from case development, studies affecting the region of the County, and establishing data that is reliable in order to foster sustainable growth and a strong economy. The positions were reclassified to Senior Planners and Associate Planner, respectively. By doing so, the Senior Planners and Associate Planners handle more complex planning cases and assignments, thereby eliminating the need for the Planner III position.

Outreach Activities

- Building Safety Week
- Informational booth at DDS to promote planning to walk-in customers
- Crime Prevention Event at Yuma County Library
- Outreach at Radio Manantial to promote DDS/Planning functions
- Outreach to Yuma Catholic High School to science and engineering students.
- Facebook postings for notifications about P&Z Commission meetings

Section Two: Zoning Enforcement Section

The current Zoning Enforcement Section staffing consists of the Zoning Inspector and two Deputy Zoning Inspectors. The section enforces the Yuma County Zoning Ordinance and does so primarily on a reactive basis, but will act proactively in order to address an eminent threat to health, safety, or welfare. Estimates on the percentage of complaints received from a third party resulting in investigations are approximately 98%.

During CY13, section activities continued to be supportive of all of the divisions within the Department of Development Services. The major areas of involvement for the section included:

- Enforcement Activities
- Training of Personnel
- Assistance to DDS Divisions
- Assistance to other Agencies
- Public Education

Enforcement Activities per CY09-13

The following information is a recap of the enforcement activities:

Section Activities	2009	2010	2011	2012	2013
Total Complaints Received	1,086	1,257	575	566	474
Total Inspections Conducted	4,983	3,872	1,327	1,573	1,263
Unresolved (Open) Cases	183	169	179	142	122
Resolved (Closed) Cases	1,211	1,282	576	605	497
Total Cases Initialized	1,106	1,270	571	580	394
Investigative Ranking (Medium)	1,063	1,248	575	564	400
Unfounded Complaints	154	117	135	120	141
Initial Property Inspections	1,000	1,155	500	563	469
Subsequent Inspections	3,282	2,303	667	771	608
Total Violations	11,547	5,455	1,617	2,238	1,738
Hearing Officer Cases Referred	127	69	23	4	14
Hearing Officer Cases Resolved	127	69	23	4	14
Staffing Levels	1 SDZI 3 DZI	1 SDZI 2 DZI	1 SDZI 2 DZI	2 DZI	2 DZI

This table is designed to show a five-year comparison of the activities totals from CY09 through CY13. In comparing CY12 and CY13 totals, overall activity decreased a little over 20%, with the most notable decrease in the Total Cases Initiated category.

Of note is the over 250% increase in the number cases heard by the Hearing Officer from CY12 to CY13. Although the Deputy Zoning Inspectors encourage voluntary compliance for those property owners in violation who show a good faith effort to abate the violation but need extensions to do so, they were unable to attain such compliance without referral to the Hearing Office.

Assistance to Other DDS Divisions

The Zoning Enforcement Section continues to work closely with the other divisions within Development Services. Examples of this interaction and support include working with the Engineering Division on taking photos of different areas related to rights-of-way usage and violations, investigating and prosecuting illegal subdivision activity, working with the Building Inspectors concerning alleged violations for illegal structures, substandard construction, and expired permits, and assisting the Building Safety Division. The section is also continuing to work in conjunction with the Planning Section to create site plans for properties involved in the Avenue B/C Colonia Area sewer project. The section conducted inspections of mobile food vendors located at the intersection of Pacific Avenue/ 24th Street and along Fortuna Road to ensure compliance with zoning. Additionally, as part of an ongoing effort, Zoning Enforcement, Building Safety, and Flood Control conducted a joint inspection of the Fisher's Landing Concessionaire's lease, compiling a list of violations to send to the Arizona State Land Department, the property owner, in a effort to get the lessee to comply with county development regulations.

Public Education

The section conducted an outreach activity with property owners at Fortuna Loop to discuss violations pertaining to the development occurring in the floodplain adjacent to their properties.